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EXAMINER

HOYE, MICHAEL W

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/381,401

Applicant(s)

AKAMATSU ET AL.

Examiner

Michael W. Hoye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 39-67 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 39-67 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 39-67 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claim 52 is objected to because of the following informalities: "received" in line 1 of the claim appears to be a typographical error and should be --receiving--. Appropriate correction is required.

Claim 67 is objected to because of the following informalities: the section which states, "transmit the secondary apparatus use information existing in the secondary AV apparatus back to the secondary AV apparatus" in the claim appears to have a typographical error and the underlined word "secondary" appears to be incorrect where the Applicants may have intended the word to be --primary--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 39-41, 43-46, 52-53, 55, 62 and 65 are rejected under 35 U.S.C. 102(b) as being anticipated by Young et al (USPN 5,353,121), cited by the Examiner.

5. As to claim 39, note the Young et al reference which discloses the claimed reservation data management section to manage data regarding timed reservation information as met by the Record Memo RAM memory 236 in Fig. 22A (col. 19, lines 1-5). The claimed time management section to give notice when a time of a reserved operation arrives is met by CPU 228 working in conjunction with the system clock 230 (col. 19, lines 5-8). The claimed control section to transmit request information when the AV apparatus sets a timed reservation to be operated in cooperation with the secondary AV apparatus is met by CPU 228 (col. 19, lines 5-11), contained within apparatus or system 180, which sends VCR operation or control commands via IR driver 214 or bus 270 (col. 19, lines 50-52). The claimed reservation data management section, time management section and control section are also met by the remote controller 212 (col. 19, lines 14-28). The claimed request information requests the secondary AV apparatus to store apparatus use information which constitutes at least a set of reservation data to manage at least one reservation including information of a desired time during which the secondary AV apparatus should operate is met by the record parameters (channel, start time and length (col. 19, lines 1-2 and 50-52)).

As to claim 40, the claimed apparatus use information includes contents of an instruction for the secondary AV apparatus to execute during transmission or reception of video information or audio information during the desired time is met by transmitting the tape index location of the VCR 206 over control/data bus 270 during recording (col. 19, lines 46-52).

As to claim 41, the claimed means for storing the apparatus use information is met by tape directory, record memo and cable-specific RAM 234-238 (col. 19, lines 1-28 and 46-61), as well as memory or storage that is inherently comprised within VCR 206.

As to claim 43, the claimed means for receiving, in response to the request information, apparatus use information on the secondary AV apparatus transmitted from the secondary AV apparatus via the bus is met by the bus 270 and CPU 228 as described above in claim 39 (see col. 19, lines 46-61).

As to claim 44, the claimed means for, when the secondary AV apparatus can store the apparatus use information, transmitting the apparatus use information to the secondary AV apparatus via the bus is met by pressing the "RECORD" button as shown in the remote control representation in Fig. 21 and in the display prompt as shown in Fig. 12, where a program selected for recording "Judge" is 30 minutes in length and the tape time remaining of the secondary AV apparatus is displayed on the bottom of the screen as 4:30 (hours:minutes), and the user is given a message asking, "RECORD THIS? PLEASE PRESS RECORD."

As to claim 45, the claimed means for transmitting display information on whether or not the secondary AV apparatus can store the apparatus use information to a display means to display the display information on whether or not storing is possible is met by the bus 270 connected to the CPU 228, which outputs the display information to video display generator 224 and then to video switcher 226, which further sends the signals to TV/Monitor 210 as shown in Fig. 22A and as described above in claim 44 as related to the display information.

As to claim 46, the claimed means for transmitting to the secondary AV apparatus via the bus, the apparatus use information together with the request information is inherent since the

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request information includes the apparatus use information as described above in claim 39 and as met by the Young et al reference.

As to claim 52, note the Young et al reference which discloses the claimed reservation data management section to manage data regarding timed reservation information as met by the Record Memo RAM memory 236 in Fig. 22A (col. 19, lines 1-5). The claimed time management section to give notice when a time of a reserved operation arrives is met by CPU 228 working in conjunction with the system clock 230 (col. 19, lines 5-8). The claimed control section to receive apparatus use information via the bus is met by CPU 228 and bus 270 as shown in Fig. 22A (col. 19, lines 46-52), the claimed apparatus use information constitutes at least a set of reservation data for managing one reservation including information of a desired time that should be reserved by the secondary AV apparatus, and to determine whether or not such use as is indicated in a received apparatus use information is possible, according to the timed reservation information and the received apparatus use information is met by the CPU 228, contained within apparatus or system 180, which sends VCR operation or control commands via IR driver 214 or bus 270 (col. 19, lines 50-52), where one reservation including information of a desired time during which the secondary AV apparatus should operate is met by the record parameters (channel, start time and length (col. 19, lines 1-3 and 50-52)), and determining whether such use is possible is met by Fig. 12, where a program selected for recording entitled "Judge" is 30 minutes in length and the tape time remaining of the secondary AV apparatus is displayed on the bottom of the screen as 4:30 (hours:minutes), and the user is given a message asking, "RECORD THIS? PLEASE PRESS RECORD" since there is enough time remaining on the tape to record the program. Young et al also discloses in Fig. 5 and col. 8, lines 35-56 that if

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a conflict with a pending recording occurs, then the user may suspend a linked program by deselecting the link title in the Link List screen.

As to claim 53, the claimed means for storing the apparatus use information and, if a use of the secondary AV apparatus indicated by the apparatus use information is possible, the apparatus use information transmitted from the secondary AV apparatus is stored is met by tape directory, record memo and cable-specific RAM 234-238 (col. 19, lines 1-28 and 46-61), as well as memory or storage that is inherently comprised within VCR 206.

As to claim 55, the Examiner is unsure as to whether or not claim 55 is dependent upon claim 39 or claim 52, the claimed information to request storage of the apparatus use information is information containing at least a starting time of the intended use of the secondary AV apparatus is met by the start time as disclosed in col. 19, lines 1-3 and as previously described above in claims 39 and 52.

As to claim 62, the AV apparatus system is rejection based on the rejection of claim 39 respectively.

As to claim 65, (Note: the Examiner is unsure if the claim is dependent upon claim 43 as currently listed) the claimed AV apparatus comprising a means for transmitting the apparatus use information to the secondary AV apparatus via the bus is met by the rejection of claim 44 respectively.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 42, 47-49, 54, 56-59, 61 and 66-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al (USPN 5,353,121), in view of Iijima (USPN 5,760,698), both cited by the Examiner.

As to claim 42, the claimed means for receiving, in response to the request information, response information transmitted from the secondary AV apparatus via the bus on whether or not the apparatus use information can be stored is met in part by the Young et al reference as shown in Fig. 12, where a program selected for recording "Judge" is 30 minutes in length and the tape time remaining of the secondary AV apparatus is displayed on the bottom of the screen as 4:30, and the user is given a message asking, "RECORD THIS? PLEASE PRESS RECORD." Young et al also discloses in Fig. 5 and col. 8, lines 35-56 that if a conflict with a pending recording occurs, then the user may suspend a linked program by deselecting the link title in the Link List screen. Although Young et al does give explicit detail about the claimed response information transmitted from the secondary AV apparatus via the bus on whether or not the apparatus use information can be stored other than the information as described above in col. 19, lines 46-52. The Examiner submits that it is well known in the art to have such a feature as disclosed by the teachings of Iijima et al, where an error message such as "No Cassette In" is displayed as shown in Figure 6 when commands are exchanged between AV devices via the bus (col. 11, lines 49-54). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Young et al with Iijima et al which discloses transmitting a conflict message across the bus to another AV apparatus and displaying the



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message to a user for the advantage of notifying a user in the event of a conflict with an AV apparatus where storage would not occur. One of ordinary skill in the art would have been led to make such a modification since displaying conflict messages is well known in the art as described above.

As to claim 47, and claims 48-49, the claimed means for transmitting to the secondary AV apparatus via the bus, when the secondary AV apparatus cannot store the apparatus use information, information to request transmission of a conflicting apparatus use information which conflicts with the apparatus use information is met in part by the Young et al reference as shown in Fig. 12, where a program selected for recording "Judge" is 30 minutes in length and the tape time remaining of the secondary AV apparatus is displayed on the bottom of the screen as 4:30, and the user is given a message asking, "RECORD THIS? PLEASE PRESS RECORD." Young et al also discloses in Fig. 5 and col. 8, lines 35-56 that if a conflict with a pending recording occurs, then the user may suspend a linked program by deselecting the link title in the Link List screen. Young discloses means for receiving information from the secondary AV apparatus via the bus as met by the bus 270 and CPU 228 as described above in claim 39 (see col. 19, lines 46-61). The claimed means for transmitting the conflicting apparatus use information to a display means to display the conflicting apparatus use information is met by the bus 270 connected to the CPU 228, which outputs the display information to video display generator 224 and then to video switcher 226, which further sends the signals to TV/Monitor 210 as shown in Fig. 22A and as described above in claim 44 as related to the display information. Although Young et al does give explicit detail about the claimed response information transmitted from the secondary AV apparatus via the bus on whether or not the apparatus use

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information can be stored other than the information as described above in col. 19, lines 46-52.

The Examiner submits that it is well known in the art to have such a feature as disclosed by the teachings of Iijima et al, where an error message such as "No Cassette In" is displayed as shown in Figure 6 when commands are exchanged between AV devices via the bus (col. 11, lines 49-54). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Young et al with Iijima et al which discloses transmitting a conflict message across the bus to another AV apparatus and displaying the message to a user for the advantage of notifying a user in the event of a conflict with an AV apparatus where storage would not occur. One of ordinary skill in the art would have been led to make such a modification since displaying conflict messages is well known in the art as described above.

As to claim 54, the claimed means for transmitting, if the use of the secondary AV apparatus indicated by the apparatus use information is impossible, information indicating the impossibility to use the secondary AV apparatus via the bus is met in part by the Young et al reference as shown in Fig. 12, where a program selected for recording "Judge" is 30 minutes in length and the tape time remaining of the secondary AV apparatus is displayed on the bottom of the screen as 4:30, and the user is given a message asking, "RECORD THIS? PLEASE PRESS RECORD." Young et al also discloses in Fig. 5 and col. 8, lines 35-56 that if a conflict with a pending recording occurs, then the user may suspend a linked program by deselecting the link title in the Link List screen. Although Young et al does give explicit detail about the claimed response information transmitted from the secondary AV apparatus via the bus on whether or not the apparatus use information can be stored other than the information as described above in col.

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19, lines 46-52. The Examiner submits that it is well known in the art to have such a feature as disclosed by the teachings of Iijima et al, where an error message such as "No Cassette In" is displayed as shown in Figure 6 when commands are exchanged between AV devices via the bus (col. 11, lines 49-54). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Young et al with Iijima et al which discloses transmitting a conflict message across the bus to another AV apparatus and displaying the message to a user for the advantage of notifying a user in the event of a conflict with an AV apparatus where storage would not occur. One of ordinary skill in the art would have been led to make such a modification since displaying conflict messages is well known in the art as described above.

As to claim 56, the claimed method is met by the system or first and second AV apparatus in the rejection of claims 39, 41 and 42-43 respectively.

As to claim 57, the claimed method is met in part by the rejection of claim 56 and by the rejection of claims 52-53 respectively.

As to claim 58, the claimed transmitting secondary apparatus use information that obstruct a use indicated by the transmitted apparatus use information if the used designated by the transmitted apparatus use information is not possible is met by Young et al which discloses in Fig. 5 and col. 8, lines 35-56 that if a conflict with a pending recording occurs, then the user may suspend a linked program by deselecting the link title in the Link List screen. It is inherent that if a conflict occurs the use that is not possible will be obstructed.

As to claim 59, the claim is met by the rejection of claim 49 respectively.

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As to claim 61, the claimed AV system is met in part by the rejection of claims 39, 41 and 42 respectively, where the Young et al reference discloses a first AV apparatus and a second AV apparatus connected by a bus and a plurality of AV apparatus where the first AV apparatus includes a first reservation data management section, a first time management section, and a first control section as previously described above and shown in Fig. 22A. The Iijima et al reference discloses multiple AV apparatus (TV1, VTR1-VTR3 and CAM1) connected by a 1394 serial bus as shown in Fig. 27. It would have been obvious to one of ordinary skill in the art to have combined the Young et al reference with the additional teachings of the Iijima et al reference where a plurality of similar AV apparatus are connected via a 1394 bus to meet the additional claim language related to a second AV apparatus that includes a second reservation data management section..., a second time management section..., and a second control section for the advantage of having multiple AV devices such as VCR's networked together while providing a central AV apparatus such as a TV receiver to provide the primary control of the networked AV system.

As to claim 66, the claimed apparatus is rejected based on a similar rejection as described in claim 57.

As to claim 67, the claim is rejected based on a similar format with the primary and secondary AV apparatus as in claim 66 as rejected above.

8. Claims 50-51 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al (USPN 5,353,121), in view of Iijima (USPN 5,760,698), in further view of Young (USPN 4,706,121), all cited by the Examiner.

As to claim 50, the Young et al (5,353,121) and Iijima et al references disclose means for determining when a conflict exists for storing sets of apparatus use information as described above. Although, these references fail to teach a means for deciding, when information that storage is impossible has been received, which of conflicting sets of apparatus use information is to be given priority. An earlier Young patent (4,706,121), which is incorporated in its entirety (see Young 5,353,121 col. 20, lines 35-36) discloses a VCR scheduling system and method where a request for storage of use information is sent to an AV system along with use information (see user selection, col. 4, lines 53-60 and col. 5, lines 48-51). Young further discloses a means whereby, upon reception of conflicting use information, the system determines which set of conflicting apparatus use information is to be give priority (col. 20, lines 9-17), for the purpose of providing a reliable means for selecting use data in a given apparatus. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have further modified the systems of Young et al and Iijima to include a means for deciding which set of conflicting apparatus use information is to be given priority, as taught by the Young (4,706,121) patent, for the purpose of providing a reliable means for selecting use data in a given apparatus.

As to claim 51, the combined systems of Young (5,353,121), Iijima and Young (4,706,121) disclose a means for reading the apparatus use information out of the means to store the apparatus use information, and a means for altering the apparatus use information that has been read out (see Young 4,706,121 col. 20, lines 12-13 and 18-19).

As to claim 60, the claimed method is met by the rejection of claim 50 respectively.

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9. Claim 63 (as related to claim 61) is rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al (USPN 5,353,121), in view of Iijima (USPN 5,760,698), in further view of Kopetz (USPN 4,866,606), all cited by the Examiner.

As to claim 63, the Young et al and Iijima et al reference as combined above disclose an AV system consisting of a plurality of bus-connected AV apparatuses. However, both reference fail to disclose performing time adjustment as recited in the claim. In related art, the Kopetz reference discloses a network of apparatuses in which each apparatus contains a local clock, and moreover, performs time adjustment (see "synchronization of the real time clocks" in col. 1, lines 33-48), for the purpose of preventing scheduling conflicts due to unsynchronized clocks. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the system of Young et al as combined with Iijima et al to include a plurality of apparatuses performing time adjustment, as taught by the Kopetz reference for the advantage of preventing scheduling conflicts due to unsynchronized clocks.

10. Claim 63 (as related to claim 62) is rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al (USPN 5,353,121), in view of Kopetz (USPN 4,866,606), all cited by the Examiner.

As to claim 63 (as related to claim 62) the claim is rejected based on similar arguments as described above in the rejection related to claim 61 without reference to Iijima et al.

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11. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al (USPN 5,353,121), in view of Iijima (USPN 5,760,698), in further view of Van Steenbrugge (USPN 5,502,436), all cited by the Examiner.

As to claim 64, the claim is rejected in part based on the rejection of claim 61 for the combination of the Young et al and the Iijima et al references. The Iijima et al reference discloses an AV system comprising of a plurality of bus-connected AV apparatuses in which apparatus use information pertaining to a first AV apparatus (VTR1 in Fig. 18) is stored by said first apparatus and at least one second apparatus (TV1 in Fig. 18) intending to transmit video information to said first AV apparatus. Neither Young nor Iijima disclose a system further comprising: when a third AV apparatus intends to transmit or receive AV information to or from the first AV apparatus or the second AV apparatus, a state of use of the first AV apparatus and the second AV apparatus is grasped by making an inquiry for the apparatus use information to either of the first AV apparatus and second AV apparatus, as recited in the claim. The Van Steenbrugge reference discloses an AV system of serially bus-connected AV apparatuses (one of SAT 10, LV 14, AMP 18, TV 16 and VCR 12 in Fig. 3) in which each apparatus has only connection knowledge of its local peers. Van Steenbrugge discloses the system further comprises a third AV apparatus (laser disk video player, LV 14), intending to transmit AV data to said first apparatus (VCR 12), grasps the state of use of said first apparatus and second apparatus (amplifier, AMP 18) by inquiring of only the second apparatus (Figs. 1 and 2, and col. 4, lines 32-67), for the advantage of eliminating the necessity for each AV apparatus to store use knowledge about each apparatus in said bus. In the example given, the LV 14 inquires to make a connection with the VCR 12. If, for example a connection already exists between the AMP 18 and the VCR 12, LV 14 needs only

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to inquire AMP 18 for the status of either VCR 12 or AMP 18. In the case of returning status for VCR 12, AMP 18 forwards the request until the destination (VCR 12) is reached, and a response is returned to LV 14 (col. 5, lines 32-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Young and Iijima to include a system further comprising when a third AV apparatus intends to transmit or receive AV information to or from the first AV apparatus or the second AV apparatus, a state of use of the first AV apparatus and the second AV apparatus is grasped by making an inquiry for the apparatus use information to either of the first AV apparatus and second AV apparatus, as taught by Van Steenbrugge, for the advantage of eliminating the necessity for each AV apparatus to store use knowledge about each apparatus connected to the bus.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Browne et al (WO 92/22983) – Discloses a large capacity, random access, multi-source recorder player with storage space capacity handling.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoyer whose telephone number is (703) 305-6954. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (703) 305-4795.



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Any inquiry of a general nature or relating to the status of this application or proceeding  
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Michael W. Hoyer  
June 13, 2004

  
**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**